

Civil Enforcement Case Report

Civil Enforcement Case

Basic Information

Case Number: 02-2009-0020
Case Name: E.I. DuPont de Nemours and Company
Case Category: Judicial
Case Status (as of 08/02/2016): Closed
Case Lead: EPA
Court Docket Number: 1:15-cv-00102-NLH-AMD
DOJ Docket Number: --

Relief Sought: Penalty
Enforcement Outcome: Final Order With Penalty
Headquarters Division: --
Branch: AIR
Result of Voluntary Disclosure? No
Multi-media Case? --
Enforcement Type: Civil Judicial Action
Violations: Other/Miscellaneous

Penalties – Case Level

Total Federal Penalty Assessed or Agreed To: \$530,520
Total State/Local Penalty Assessed: \$0
Total SEP Cost: \$0
Total Compliance Action Cost: \$10,000
Total Cost Recovery: \$0

Case Summary

On January 6, 2015, the Department of Justice lodged a consent decree between EPA and the Defendant resolving violations of the Clean Air Act (CAA) and Emergency Planning and Community Right-to-know Act (EPCRA) at the Chambers Works facility, located in Deepwater, New Jersey. The complaint alleged violations of the CAA and EPCRA as well as violations of the regulations promulgated under the CAA -- specifically, the Recycling and Emissions Reduction regulations, the Miscellaneous Organic Chemical Manufacturing regulations, as well as conditions in the facility's Title V Operating Permit. Because the Defendant is now in compliance with the regulations and the permit, the settlement does not require further injunctive relief. The decree requires the Defendant to maintain compliance with all applicable requirements of the CAA and EPCRA and pay a penalty to resolve the past violations. The Defendant is subject to stipulated penalties for any violations of the terms of the Consent Decree.

Laws and Sections

Law	Sections	Programs
CAA	114, 608, 112	National Recycling & Emission Reduction Program, Record keeping Inspection Information Request, Hazardous Air Pollutants
EPCRA	313	Toxic Chemical Release Reporting (TRI)

Citations

Title	Part	Section
No data records returned		

Facilities

FRS Number	Facility Name	Address	City Name	State	Zip	SIC Codes	NAIC Codes
110067001899	DU PONT CHAMBER WORKS	ROUTE 130 & CANAL ROAD	DEEPWATER	NJ	08023	2819 2865 2869 8731	--
110067001915	EI DUPONT DE NEMOURS (CHAMBERS WORKS)	CANAL RD & RT 130	DEEPWATER	NJ	08023	2869	325199

Defendants

Defendants and Settlements	In Complaint	In Settlement
E.I. DuPont de Nemours and Company	Y	Y

Related Case Documents

Document	Facility Name	Publish Date	EPA Program
No data records returned			

Case Milestones

Event	Actual Date
Referred To Dept Of Justice	09/30/2009
Enforcement Action Data Entered	10/01/2009
Final Order Lodged	01/06/2015
Complaint Filed With Court	01/06/2015
Final Order Entered	03/30/2015
Concluded	03/30/2015
Air Resolved	08/02/2016
Enforcement Action Closed	08/02/2016

Pollutants

Pollutant Name	Chemical Abstract Number
HCFC [hydrochlorofluorocarbons]	--

Related Activities

Description	Actual Date
No data records returned	

Final Order 1

Final Order Type: Consent Decree or Court Order Resolving a Civil Judicial Action

Final Order Name: E.I. DuPont de Nemours and Company

Linked Facilities (FRS ID): 110067001899, 110067001915

Final Order Lodged Date: 01/06/2015

Final Order Entered Date: 03/30/2015

Enforcement Action Closed Date: 08/02/2016

Actual Termination Date: --

Penalties/SEPs/Cost Recovery Amounts

Federal Penalty Assessed or Agreed To: \$530,520
State/Local Penalty Assessed: --
SEP Value: --
Compliance Action Cost: \$10,000
Federal Cost Recovery Awarded: \$0

Complying Actions

Complying Action ID	Category	Description
3600006322	Reduction of Ongoing Releases	Source Reduction
3600006323	Work Practices	Monitoring

Supplemental Environmental Projects

SEP ID	Category	SEP Value	Description
No data records returned			

Pollutant Reductions

Resulting From	Pollutant	Annual Amount	Units	Media Affected
CA ID 3600006322	HCFC [hydrochlorofluorocarbons]	2,300	lbs	Air
CA ID 3600006322	Carbon Dioxide-Equivalents	1,400,700	lbs	Air